

## Message Text

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17

ACTION OPIC-06

INFO OCT-01 NEA-10 ISO-00 EB-07 COME-00 TRSE-00 AID-05 L-03

CIAE-00 INR-07 NSAE-00 SSO-00 INRE-00 /039 W

----- 117066

O 010850Z OCT 76

FM AMEMBASSY DACCA

TO SECSTATE WASHDC IMMEDIATE 2255

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E.O. 11652: N/A

TAGS: EFIN, US, BG

SUBJECT: BELBAGCO - CORRECTION

REF: (A) DACCA 5033; (B) STATE 234553

1. IN DISCUSSION WITH HOSSAIN REPORTED REFTEL A, CONCERNING ADVISABILITY OF OPIC FILING CLAIM IN ITS OWN NAME, WE OVERLOOKED FACT THAT AMB. BOSTER'S SEPTEMBER 2 LETTER TO INDUSTRIES SECRETARY INFORMED THE BDG THAT "OPIC HAS SETTLED THE CLAIM BY BELBAGCO AND ACCORDINGLY WILL SUFFER DIRECT LOSSES ...." JUDGMENT CONVEYED REFTEL A ASSUMED BDG DID NOT KNOW THIS. HOSSAIN CALLED THIS TOV OUR ATTENTION SEPTEMBER 30 AND NOW SUGGESTS THAT, GIVEN THAT THE BDG ALREADY KNOWS THAT OPIC HAS PAID BELBAGCO, THE CLAIM FORM SHOULD BE JOINTLY SIGNED BY OPIC AND BELBAGCO AND FILED AS A JOINT CLAIM. (THIS IS THE PRACTICE FOLLOWED HERE, IN THE CASE, FOR EXAMPLE, OF INSURANCE CLAIMS, WHERE THE INSURANCE COMPANY HAS PAID A CLAIM AND IS THE SUBROGEE).

2. TO FILE A JOINT CLAIM, OPIC WILL HAVE TO ADD ITS NAME, ADDRESS, ETC., AS APPROPRIATE, IN BLOCKS 1, 3 AND 6 ON THE CLAIM FORM AND EXPLAIN ITS POSITION AS SUBROGEE IN A COVERING LETTER WHEN THE JOINT CLAIM FORM IS SUBMITTED TO THE IMPLEMENTATION AND PAYMENTS CELL.

3. ITEM 5, POWER OF ATTORNEY, SHOULD SHOW EITHER ALTAF HOSSAIN OR RLA DOUGLAS ROBERTSON (AS DESCRIBED IN SECTION C (IV) (PARA 7, REFTEL LIMITED OFFICIAL USE

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A).

4. ALTAF HOSSAIN POINTS OUT THAT OPIC WILL HAVE TO PROVE ITS RIGHT TO RECEIVE PAYMENT AS SUBROGEE AND ALL THE RELEVANT FACTS OF ITS SETTLEMENT WITH BELBAGCO WILL HAVE TO BE FORTHCOMING. THE DOCUMENT OF SETTLEMENT OR OTHER SUCH PROOF MAY HAVE TO ACCOMPANY THE CLAIM FORM, BUT THAT DOCUMENTARY PROOF NEED NOT SPECIFY THE AMOUNT ACTUALLY PAID OPIC TO BELBAGCO (ALTHOUGH THE BDG MAY ASK FOR THAT INFORMATION).

5. HOSSAIN ALSO SUGGESTS THAT IT WOULD BE USEFUL TO HAVE A LETTER ON PAKISTAN FABRIC LTD. (PFL) STATIONERY, REQUESTING THE IMPLEMENTATION AND PAYMENTS CELL TO PAY ANY COMPENSATION DUE DIRECTLY TO BELBAGCO AND/OR ITS SUBROGEE. SUCH A LETTER COULD BE USED HERE, IF THOUGHT ADVISABLE. THE LETTER SHOULD BE SIGNED BY THE CHAIRMAN OF THE BOARD OF PFL OR, FAILING THAT, ONE OF THE DIRECTORS.

6. EMBOFF PURCHASED SIX ADDITIONAL CLAIM FORMS SEPT. 29.

7. WE HAVE NOT FILED CLAIM FORMS AND UNLESS INSTRUCTED TO CONTRARY, WILL AIR POUCH THEM TO NEA/PAB FOR OPIC ON TUESDAY, OCT. 5, FOR AMENDMENT ALONG LINES SPELLED OUT ABOVE. (HOSSAIN ADVISES THAT ATTORNEY HERE CAN NOT SIGN FOR OPIC.)  
CHESLAW

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NATIONALIZATION, CLAIMS, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 01 OCT 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** saccheem  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Unique ID:** 00  
**Drafter:** n/a  
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**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Review Authority:** saccheem  
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